

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

UMG RECORDINGS, INC., CAPITOL
RECORDS, LLC, CONCORD BICYCLE
ASSETS, LLC, CMGI RECORDED MUSIC
ASSETS LLC, SONY MUSIC
ENTERTAINMENT, and ARISTA MUSIC

Plaintiff(s),

vs.

INTERNET ARCHIVE, BREWSTER
KAHLE, KAHLE/AUSTIN FOUNDATION,
GEORGE BLOOD, and GEORGE BLOOD,
L.P.

Defendant(s).

Case No.: 3:23-cv-06522-MMC

**[Proposed] Order Granting in Part and
Denying in Part Defendants Internet
Archive, Kahle, Blood, and George Blood
L.P.'s Request for Incorporation of
Documents by Reference and for Judicial
Notice in Support of Their Motion to
Dismiss**

Before the Court is Defendants Internet Archive, Kahle, Blood, and George Blood L.P.'s (collectively, "Defendants") Request for Incorporation of Documents by Reference and for Judicial Notice in Support of Their Motion to Dismiss, ECF No. 76 (the "Request"). The Request asks the Court to conclude that Exhibits A through I are incorporated by reference in the complaint and/or are subject to judicial notice, and that therefore the Court can properly consider them in connection with Defendants' motion to dismiss. After consideration of the briefs and arguments of counsel and all other matters presented, the Court concludes that the Request should be granted in part and denied in part.

NOW, THEREFORE, IT IS HEREBY ORDERED that Defendants' unopposed Request to incorporate Exhibits A and B by reference into the Complaint is **GRANTED**.

1 **IT IS FURTHER ORDERED** that Defendants' Request to take judicial notice of
2 Exhibits C - I is **DENIED** and the Court will **NOT** consider these Exhibits in ruling on
3 Defendants' Motion to Dismiss.

4 **IT IS SO ORDERED.**

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6 Dated: _____

7 MAXINE M. CHESNEY
8 United States District Judge
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